IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Miscellaneous Application No. 13688 of 2006

in

Appeal From Order No. 1526 of 2001

U.P. State Road Transport Corporation
and another …….. Appellants

Versus

Smt. Rekha Rani and others ..……. Respondents

……..

Hon'ble Rajeev Gupta, C. J.
Hon'ble J.C.S. Rawat, J.

None for the appellants.

Sri Yogesh Kumar Pande, Advocate for the respondents/claimants.

2. The claimants have filed this application for a direction to the Registry to remit the amount deposited by the appellant Transport Corporation in compliance of the interim order passed by this Court.

3. The appellant Transport Corporation filed this appeal against the Award dated 21.08.2001 passed by Motor Accident Claims Tribunal/ District Judge, Dehradun in Motor Accident Claim Petition No. 77 of 1995, whereby a sum of Rs. 4,81,000/- (Rupees Four Lakhs Eighty One Thousand only) was awarded as compensation to the claimants.

4. The claimants also had filed an appeal for enhancement of the compensation, which came to be registered as A.O.No. 1525 of 2001.

5. Both these appeals i.e. A.O. Nos. 1525 of 2001 and 1526 of 2001 stand finally decided vide judgment dated 19.04.2006 whereby both appeals were dismissed and the impugned award was affirmed.

6. In this appeal vide order dated 24.11.2001, the appellant Transport Corporation was directed to deposit a sum of Rs. 3,50,000/- (Rupees Three Lakhs Fifty Thousand only) within fifteen days from the date of the order.

7. Sri Yogesh Pande, the learned counsel for the claimants submits that 50% of the amount deposited by the appellant Transport Corporation was earlier remitted to the Claim's Tribunal and the same was withdrawn by the claimants.

8. In this view of the matter, the Registry is directed to transmit the balance amount and the sum of Rs. 25,000/-(Rupees Twenty Five Thousand only) deposited by the appellant Transport Corporation as mandatory deposit under Section 173 of the Motor Vehicles Act, to the concerning Claims Tribunal immediately.

9. With the above order, CLMA No. 13688 of 2006 stands disposed of.

(J.C.S. Rawat, J.) **(Rajeev Gupta, C. J.)**
18.11.2006 18.11.2006

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